

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEFF ALLEN TRASK,
CHASE RYAN STORLIE,
HECTOR RICARDO GONZALEZ,
and CHRISTIAN JESUS RUIZ,

Defendants.

CR 17-07-H-SEH

ORDER

On April 29, 2020, Defendant Jeff Allen Trask filed an Emergency Motion to Modify Imposed Term of Imprisonment under 18 U.S.C. § 3582(c)(1)(A)(i) and a brief in support.¹ Trask seeks an order reducing his sentence to time served and to impose a sentence of supervised release equal to the eleven months remaining of his term of imprisonment.² The United States opposes the motion.

¹ Docs. 277, 278.

² See Doc. 277 at 4.


A federal district court generally “may not modify a term of imprisonment once it has been imposed.”³ 18 U.S.C. § 3582(c)(1)(A) permits modification of a sentence “after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility.”

Section 3582’s exhaustion requirements are mandatory.⁴ Trask has not exhausted his administrative remedies or waited for a response from BOP for 30 days as required by § 3852(c)(1)(A).

ORDERED:

Defendant Trask’s Opposed Emergency Motion to Modify Imposed Term of Imprisonment⁵ is DENIED.

DATED this 8th day of May, 2020.


SAM E. HADDON
United States District Judge

³ 18 U.S.C. § 3582(c); *see United States v. Rodriguez-Soriano*, 855 F.3d 1040, 1042 (9th Cir. 2017).

⁴ *See Shaw v. Bank of Am. Corp.*, 946 F.3d 533, 541 (9th Cir. 2019) (“statutorily-provided exhaustion requirements deprive the court of jurisdiction”).

⁵ Doc. 277.